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EMANCIPATION:

*Its Justice, Expediency and Necessity, as the Means of securing a
Speedy and Permanent Peace.*

A N A D D R E S S

DELIVERED BY

HON. GEORGE S. BOUTWELL,

IN

TREMONT TEMPLE, BOSTON,

UNDER THE AUSPICES OF

THE EMANCIPATION LEAGUE,

DECEMBER 16, 1861.

The announcement that Hon. George S. Boutwell would deliver the Inaugural Address before the Emancipation League, upon "The Justice, Expediency and Necessity of Emancipation," called together an assemblage of the people of Boston and vicinity remarkable for character and intelligence, even in this intelligent community. The large audience—the hall being crowded in every part—heard the speaker throughout with profound attention, broken, however, by frequent and enthusiastic applause. Upon the platform were a large number of distinguished citizens, including officers connected with the State and United States governments.

The meeting was called to order by Rev. A. A. MINER, who made a brief statement in regard to the object of the League, viz.: To further in the hearts of the people the measures which will promote the freedom of the slaves, and to encourage the government to use whatever opportunity the progress of our armies shall afford to carry liberty with those armies, and suppress the rebellion by removing its cause. At the conclusion of his remarks, he introduced, as the Chairman of the meeting, Dr. Samuel G. Howe.

Dr. HOWE said that the speaker whom he was about to introduce would try to prove the justice, expediency and necessity of emancipation. He must be a bold man to undertake such a task, for it is as difficult as it would be to prove that two and two make four to an audience who should doubt the fact, and demand the proof.

The government practically denies this and other axiomatic truths, and consequently involves itself in all sorts of difficulties and embarrassments, over which it continually stumbles, as it goes blundering along.

For instance, a rebel's ownership to his house or his ship may be clear and incontestable, for it is founded in the very principles which underlie the right of property; and yet the government declares it forfeit,—and tells our soldiers and sailors they may disregard it. But when it comes to his title to a man or a woman, which in its very essence is a sham and a lie, then the government recognizes his ownership, and talks about his constitutional right.

The written and the unwritten history of our country shows that human slavery has been the vitiating element in our political institutions;

that it is now not only putting them in peril but likewise endangering the great experiment of man's capacity for self-government; and that if slavery were abolished there would be no great cause of discord in the Union; and yet, out of a superstitious regard for this accursed root of bitterness and wickedness, our government holds back from striking the rebellion full in the stomach, and utterly crippling it at once.

The South is encouraged, the North is discouraged, and the world is disgusted with the policy of our government in this matter.

An army needs ideas as well as bread. Like a man, in order to do great deeds, an army needs an imposing idea—a great watch-word—an object worth fighting for and dying for. Such an idea—such a watch-word would be the emancipation of four millions of human beings; but such is *not* a vague cry of Union—Union!

But not only does the government withhold this breath of life and honor from the army, but it converts it into an engine to keep up slavery, to keep down emancipation, and to hold the slaveholder's victim for him if perchance he escapes.

From the early proclamation of McClellan that servile insurrection should be put down with an iron hand, to the late proclamation of Halleck, which virtually drove back fugitive slaves from our lines, the policy of our commanders when they approach a slave region has been, with a few honorable exceptions, to deter the negro from acting against his master, and so to convert the black race into enemies. Nay! Northern officers have been found base enough to betray poor fugitives. Northern soldiers have been made slave-catchers for Southern masters; and Northern officers have disgraced themselves by deeds which even heathen knights would have spurned as mean and cowardly. The scutcheon of our beloved State even has been soiled and disgraced in this way.

It is not the public and acknowledged policy

of the government to hold fugitive slaves for the benefit of their masters, and so to keep open a door for reconstruction upon the same old iniquitous basis of Union, but that it is the real aim facts will show.

Fugitives are never invited into our lines, but when they force themselves in they are taken into custody at those places there is a chance for them to escape to the North.

Look at Fortress Monroe; not only cannot a fugitive get a passage to the North, but the vessels leaving the place are searched to prevent it.

At Washington they are locked up in jail to prevent their escape. The public prints have lately told you all about this.

Dr. Howe then related his recent examination of the jail in Alexandria, Va., where he found about a score of fugitives, men, women and children, who had committed no offence against the laws of the United States, save that of running from rebel masters, but who were locked up in prison by the United States Marshal.

They all expressed a wish to be free; they dreaded being returned to their masters; and were evidently perplexed by their present treatment. One man, on being asked if he could take care of himself if he were set free, said, "I've took care of myself forty years, and helped massa take care of hisself—tink I can't take care of myself alone?"

The ideas of the administration, as shown by the operations of our army all along the slave border, from Missouri to Port Royal, has been such as to discourage all hopes of its adopting the policy of emancipation; and it is for the people, for the men and the women of the country, to speak out in its favor.

It is that they may do so that this Emancipation League is formed, and that similar ones are earnestly recommended everywhere.

Dr. Howe then apologized for taking so much time, and introduced the orator of the evening.

S P E E C H.

Mr. President and Fellow Citizens:

I do not speak in a representative capacity, and the responsibility for what I say is not to be divided or assumed by any one. No person is better aware than I am, that he who undertakes to give public advice in times of public peril, assumes a grave responsibility. Nor is the responsibility materially lessened by the fact that he who assumes it has but slight claims to public consideration. In every free government, and especially in our own, the mature and considerate judgment of the people ultimately controls the administration of public affairs. As the river which drains and fertilizes half a continent, bears upon its bosom the navies and commerce of an empire, and refuses to be subdued or controlled by any power save that of the ocean itself, is but the combination of minute rills, which, in the mountains where they had birth, escaped observation, so the current of public opinion on which a nation is borne to its destiny, is but the union of individual thoughts, that, in their expression, seemed powerless for evil or for good. And as the river is dependent for its existence as well as for its purity upon the mountain rills, so the current of public opinion is dependent for its majesty and vigor, upon the minute contributions that are made to it from distant and unobserved sources. Hence no thought is lost—no contribution is unimportant; nor can any one escape responsibility, however he may shrink from duty. Nor ought it to be admitted, whatever the circumstances of peace or war, that measures affecting the welfare of the nation are not to be discussed by and before the people. But such discussions may have evil effects, unless conducted with moderation, and under the influence of a sturdy patriotism.

So, too, in times of public trial, the details of the public service must be left to the discretion of those entrusted with the conduct of affairs. There must, moreover, be liberality,—indeed, a broad and unquestioning generosity—in the judgment we form of those on whom the responsibility rests.

But, on the other hand, whenever a people, through ignorance or timidity, are incapable of examining and considering matters of public concern, in a proper spirit and with wise reference to legitimate ends, then are their liberties in greater peril than they can ever be from the hostilities of foreign or the machinations of domestic enemies.

I have come to-night to speak with great freedom, but not in the language or spirit of complaint or doubt. We have seen how, by the energy of the administration, the loyalty of the States, and the patriotism of the people, an army of two-thirds of a million of men has been raised, equipped and put into the field. How a navy carrying more than twenty-five hundred guns has been created; how resources to the amount of more than two hundred millions of dollars have been gathered from the voluntary offerings of all classes. Hence we have confidence in the future. Moreover, the country confides in the President. To style him honest, is but an inadequate expression of the nice sense of justice—the highest human attribute—which distinguishes him among men. He also possesses what Locke calls a large, sound, roundabout sense, that enables him to form opinions with care, and to act with discretion. These qualities are supported by a courage undimmed in hours of severest trial. He was among those at Washington, who, after the disaster of Bull Run, were unmoved either by fears for their personal safety, or apprehensions of danger to the fortunes of the Republic. He is surrounded by able and patriotic men; and there is a united opinion in favor of giving to the administration a loyal and generous support. Nor is it any indication of a want of confidence, that the people of Boston, who in times of trial were accustomed, in their assemblies, to consider public questions, have now convened to contribute, if they may, to the restoration of peace, the re-establishment of the Union, and the return of our former political and commercial happiness and prosperity. But I may say to you, my friends, in the beginning, that I have no suggestion to make, the way to which is not clearly laid open in the recent message of the President. His recommendation to the Congress that territory should be acquired to which the black population of the United States may be removed, contains the opinion that the slaves are to be emancipated, either as an incident or a consequence of the war. It is, moreover, the teaching of experience, that great civil contests, based upon questions of domestic policy, must be settled by statesmanship. And when, as with us now, a nation's existence is in peril, questions of policy affecting that existence must be settled by a bold, vigorous, comprehensive, foreseeing statesmanship. For

"Not to the ensanguined field of death alone
Is valor limited; she sits serene
In the deliberate council; sagely scans
The source of action: weighs, prevents, provides,
And scorns to count her glories from the feats
Of brutal force alone."

In speaking of the justice, expediency and necessity of emancipation as the only speedy means of crushing the rebellion and restoring the Union, I impose on myself three limitations, and desire you to connect them with all that I may say:

1st. That a military necessity exists for doing what is proposed; and that I shall undertake to prove.

2dly. That this necessity does not require us to take any action in reference to the loyal States.

3dly. That I always and everywhere contemplate compensation to loyal men.

And I first inquire, what constitutes a military necessity? I assume that a military necessity does not depend upon the exigencies of the army in the field; but the great military necessity is to save the government, and whatever is necessary for the salvation of the government is clearly within the right and the duty of those who administer it and control the military department thereof. (Applause.) I think our constitution has plainly indicated what a military necessity is in that provision which declares that the right of *habeas corpus* shall not be suspended unless, in cases of rebellion or invasion, the public safety may require it. And what do we see to-day? That all of us are here deprived, by the exigencies of the times, of the security which from the days of *Magna Charta* has been, with here and there an exception, the security of all Englishmen, and of all men who inherited the rights and the privileges of Englishmen. And why? Because it is believed by those entrusted with the administration of public affairs, that the public safety requires it. And we have given up the great security which we had, that whenever our liberty was taken from us we had a right to an inquiry as to the reason therefor; and that right has departed, at the bidding of the government, because, in the eye of the constitution, the public safety requires it.

If we demonstrate that the public safety requires the emancipation of the slaves, here or there, or any where, then we have demonstrated* that a military necessity exists. And, my friends, you are assembled with anxious countenances to consider how the country shall be saved; and you instinctively trace our peril backward to the institution of slavery, and are convinced without argument that had slavery not existed on this continent there would not be a State, no, nor a county, nor a parish, nor a man, in all this republic to say that this Union ought not longer to exist; therefore we charge home, with instinct and logic, the responsibility of the whole matter to the institution of slavery. And if by the emancipation of the slaves we can hasten by

one day the return of the power of the Union and our lost prosperity, does not a military exigency exist? ("Yes!" "Yes!" "It does!")

I hear a suggestion from many quarters, which means, if I understand it, substantially this: that South Carolina and her ten associates in this rebellion are still entitled to the protection of the constitution of the United States, and therefore we are bound to treat those States as we treat the States that are still loyal to the Union. If we yet labor under that delusion, then God save us! for not to the hands of man is entrusted the salvation of this republic—if we still indulge in the delusion that South Carolina and New York, that Florida and Pennsylvania, that Mississippi and Illinois, that Texas and Minnesota, are to be treated by the government of the country as enjoying equal rights and equal protection under the constitution. (Applause.)

We have not thrust them out of the Union; they have gone out deliberately, freely, without compulsion; and in all that relates to the subjugation of the territory and of the people of the rebel States we must treat them as enemies, as belligerents. Are we to ask whether we are in war with these eleven States, when our frontier, from Kansas to the Chesapeake, is menaced by their forces, and when we, boasting that we have 660,000 men in the field, have been outnumbered at every point? If you indulge the delusion that we are not at war, and that these people are not to be treated as enemies, then the destruction of the country is near. *We must* treat them as enemies. When they came into the Union they gave to the Union jurisdiction over their territory; that jurisdiction they now deny; let the statesmanship of the country secure the right that was guaranteed to us, and which we have not abandoned, however the rebels may desire to put off the responsibility from themselves. (Applause.)

Whatever is necessary to be done for the re-establishment of the government of the Union, over the rebellious States, we have a constitutional right to do; for the constitution, if it secures any thing, secures the integrity of the territory over which and to which the constitution applies. The rebels have no right to complain. We secure constitutional rights, as far as we can, to all the loyal States; disloyal States are enemies, and we must so treat them.

Suppose there are a few loyal men in South Carolina, in North Carolina, in Georgia, or Texas; are they to stand in the way of the salvation of this country? I trust not. When the war is over, when this territory is restored to the Union, the government of the country is re-established, then, if these people have suffered by any thing that we have done, make them the compensation that we can. But we cannot stop now, when the Union is in peril, when the lurid flames of war light up the horizon on every quarter—can we stop

now to inquire whether, in South Carolina, or in Georgia, or in Tennessee, there may be men who would if they could be loyal to the Union? (Applause.)

Now we have, my friends, labored under two or three delusions. First, we did not believe, twelve months ago, when the nucleus of the "Confederacy" (as it is now called) separated from the old Union, that a great conspiracy existed. We could not believe that men entrusted with important duties—Senators and Representatives in Congress—officers of the army and the navy, who had been supported in luxury from the treasury of the nation—judges of the Supreme Court—men high in authority throughout the fifteen slave States of the Union—had conspired criminally, traitorously, with perjury upon their lips and in their hearts, against a government which, as far as we knew, had never pressed too harshly upon a single citizen of the republic. We could not believe it. It was not strange that we did not believe it. But now, after a brief and sad experience, we find that for thirty years this conspiracy had existed; that it covered the whole slave territory of the Union; that it had given birth to the annexation of Texas, to the compromise measures of 1850, to the repudiation of the Missouri compromise in 1854, to the dissolution of the Democratic party at Charleston in 1860; that it had entered systematically upon the scheme of destroying the best government which the world had ever seen! It was not strange that we did not believe it; but now, now we know that it existed, and we know, too, full well, that it had its origin in the institution of slavery. And ought not the judgment of this country to be visited upon that institution as a part of the retribution for this foulness of human crimes? (Applause.)

Another delusion, my friends, was, that we did not believe in the unanimity of the South upon this matter. We thought that the movement was instigated and carried on by a few hot-brained persons, whom we proposed to separate from the great majority of the people and dispose of without special ceremony. But we have found, as the war has gone on, that it either included originally in the conspiracy all the chief men of the South, or that they have been drawn, unwillingly or willingly, into it, so that now there is no excuse for the man who believes that there is any lack of unanimity in the eleven seceded States. We are not more unanimous in this hall, or in this State, or in the free States of the Union, in favor of maintaining the Union, than they are in favor of breaking down this Government and disgracing free institutions in the presence of the world and before posterity.

Let us no longer abide in the delusion that there is a want of unanimity in the South.

Another delusion in which we have indulged, to this very hour, is that they had not resources sufficient to carry on this war, and that very soon they would be exhausted.

I shall have occasion to discuss this subject further, as I go on. But we have found, as a matter of experience, during the last twelve months, that they have exhibited no evidence of a want of resources. Have not they put men enough into the field? Haven't they, as far as we know, equipped them sufficiently for the service? Haven't they had enough to eat, to drink, and to wear?

Then, as far as the year's experience goes, we have been laboring under a delusion as to the power of the South.

It may be well enough to explore briefly the causes of the rebellion, as developed in the institution of slavery itself. And the proposition I have to make is that the institution of slavery is of such a character that hostility to this Government was inevitable, sure to come at some time or other.

A change of opinion has been going on in the slave States, which perhaps I may well illustrate by a short chapter from my own experience. In 1857, in the month of November, I was at Lexington, Kentucky, and on the Sabbath I attended service at what I understood to be the oldest Methodist Episcopal church. I listened to an able discourse. It was devoted to the maintenance of three propositions, which, as far as I could judge, were accepted by that congregation; they were, first, that the Saviour never said any thing in favor of human equality; secondly, that he never said any thing in favor of universal education; and thirdly, said the preacher, what we need is authority in the church.

Do you not see, if those propositions be taken as indicating the public sentiment of the South, that slavery has worked two radical changes in the people, both of which are antagonistic to free institutions, and upon which free institutions cannot long be maintained? One was the denial of the equality of man; the other was the denial of the right of individual opinion in matters of religion.

And next I have to say, that the Constitution of the Union, having been established for the purpose—as declared in the preamble—of securing liberty to the men who framed it and to their posterity, was inadequate to meet the wants of the slaveholders.

We have in the Constitution a provision giving to the government authority to put down insurrection. But do you not think that the time was foreseen when the slave population might rise upon the plantations of the cotton districts, and in a single night the white inhabitants be swept away? And how powerless then would be the provision of the Constitution, even if the government were wielded by slaveholders! So we see that since the revolt commenced, they have steadily marched toward the establishment of a military, slaveholding oligarchy; because it is the necessity of the institution of slavery that it shall be maintained by a stronger government than that for which our Constitution provided. And, in the next place,—I do not propose to

discuss it—but, in the next place, it was a necessity of slavery that it should acquire new territory, because it exhausts that on which it fastens. These then, as I believe, were the causes of the rebellion. There were pretexts, such as agitation in the North, but they were mere pretexts.

There were also inducements to the rebellion: one of which was a belief that the North would not act unitedly and energetically for the overthrow of the conspirators. And I may say here what I think will be sustained by some gentlemen whom I see around me; and, inasmuch as the injunction of secrecy upon the Peace Congress was removed on the last day of the session, I may say—not for the purpose of arraigning any man before this assembly, or before this country—that in that congress a representative from a free State, a State that has with great alacrity furnished its quota of men to the army, did announce to slaveholders and to non-slaveholders that in case the North undertook to put down the South “by force” the North would furnish a regiment to fight with the South as often as it furnished one to fight against it.—In justice, to the people of the country, we ought to say, in this connection, that the South has been entirely disappointed. The people, with great unanimity, have come to the support of the government, and not one regiment—possibly not one man—has been found to join the forces of the South. (Applause.) But such inducements undoubtedly operated to lead the people of the South forward in the rebellion they had undertaken. Another inducement to the rebellion was the bankruptcy of the South. From two to three hundred millions of dollars have been repudiated by the rebellion. It is well enough to remember that, as long ago as 1792, I think, Mr. Jefferson wrote a letter to Gen. Washington urging him to accept a second term for the Presidency, and one of the five or six reasons which he gave for the request was the danger of secession; and a reason why he feared secession was that the South was largely indebted to the North. And this indebtedness of the South to the North, wiped out for the last fifty years at the rate of two or three millions a year, and finally consummated by the repudiation of two or three hundred millions, has always been an obstacle to a firm union between the two sections. Another inducement by which the South has been combined as one man, was the cry, promulgated for the first time in that section of the country not more than five or six years ago, “Negroes for the negroless!” Thus every poor white man in the South, who ignorantly believed it to be the height of human ambition to own a negro, was inspired with a hope that at some future day he might become a slaveholder, if the rebellion could be carried on successfully—the South separated from the North—and the African slave-trade opened. This is one of the means by which the rebels have been able

to combine the Southern strength to the extent they have. Another reason—I will not stop to discuss it—was wounded pride, mixed with poverty, always a source of discontent.

And, in passing, I may say that I believe the Southern States, the Gulf States, have deceived, to a great extent, the border slave States—Maryland, Kentucky and Virginia; for, when the time should have come that they could secure the separation of the slave States from the free States, or the Southern States from the Northern States, they would incline to leave these border States with the North, as a bulwark against the spread of anti-slavery opinions southward, knowing that under the constitution we should return fugitives to these border States, and the border States, by State legislation, would return fugitives from the seceded States.

Will the rebellion exhaust itself? Consider the extent of the territory that it includes. Consider the resources of that country in soil and climate. Consider the fact that, in consequence of the existence of slavery, they can put in the field, and equip—allowing the institution of slavery to remain—one-tenth, or even one-eighth of their entire white population. And though with the blockade we close up the ports, so that they are deprived of certain luxuries and necessities of life, they yet can command those great staples on which their armies will depend for subsistence. They possess one power which we have not yet attained—and which, I trust, is not in store for us—they repudiate their debts as fast as they are contracted, “leaving the things that are behind, and pressing forward to those that are before.” (Laughter and applause.) It was the estimate of Napoleon that no nation could keep more than one in forty of its population in the field. The State of Indiana has put one in twenty of its entire population into the army; other States one in twenty-five; one in thirty; one in thirty-five; one in forty. If it be assumed that the free States can put into the field, and keep in the field, one in thirty of the entire population, our army will not consist of more than about 730,000 or 740,000 men, and, if you will allow the institution of slavery to remain, the three and a half millions of men and women in the revolted States to continue upon the plantations—guarded by white women, aged men and children, all armed—if you allow the three and a half millions to remain upon the plantations and produce subsistence for the army, they can keep one-tenth, or one-eighth, of their entire white population in arms. If you strike from the resources of the South the supplies which are furnished by the three and a half millions of black people, do not you see that a portion of the men who are in the army of the South must go home to produce supplies? Therefore the effect of allowing the institution of slavery to remain is to give them an equal opportunity with us in every contest. But if we deprive them of the support they derive

from their slaves, then a portion of their army must return to the plantations, and they would be reduced to 150,000 or 200,000 men, and the war would be at an end. (Great applause.)

We may very well inquire whether this rebellion—if it go on—is to exhaust us. I do not propose to pursue the financial inquiry, but it is sufficient to say that the Secretary of the Treasury estimates that the public debt, on the 30th of June, 1863—a year from next June, will amount to \$900,000,000. If it shall happen in consequence of the check that is given to the exportation of cotton—in consequence of a good supply of breadstuffs next year in Europe—that there shall be no demand for any of the products of this country, and there should be a demand for specie in consequence of excessive importations made inevitable because of an increase in your circulating medium, who does not see that bankruptcy is before us? And it is well to consider whether, if we have no regard for the black man, it is well for the merchants of Boston and New York, the men who have four million tons of shipping on the ocean—a million in the East Indies—to consider whether we are willing to involve ourselves in a common bankruptcy, rather than to strike, while we have the power, at the foundation on which this rebellion rests. (Prolonged applause.)

I say, then, it is a necessity, that this war shall be speedily closed. We have tried blockading. It has been to a good degree effectual. But do you not see that it is powerless with reference to producing that which we expected from it—the quelling of the rebellion? Though our ships line the whole coast, from Galveston to the Chesapeake; though we keep out foreign supplies of every sort; though we cut off the export trade in cotton—still these slaves produce that on which the rebel armies—armies in the field—depend. You may say we can, by one decisive battle, settle this matter. We have had 100,000—150,000—for aught I know, 200,000 men on both sides of the Potomac for the last sixty or ninety days. Possibly by battle we might settle this matter; but we run a great risk. We thought when in July our army went forth with banners and trumpets, they were marching to victory. Our soldiers fought well, victory seemed within their grasp, and yet defeat—temporary defeat to our arms—resulted. And who knows that, with new leaders and new men, we are to gain a decisive advantage? When there are other means to settle this matter, will we risk the existence of this republic—risk freedom, and its name and fame in all the nations, and throughout all time—on the capacity of generals on the Potomac? I say no, if it can be avoided. Wars and battles are not the worst of evils, but they are to be avoided when and where we can avoid them. The life of the nation is involved in this contest, to say nothing of the men. All of us have sent our friends, brothers, kindred—those who are dearer to us than our own lives; and shall we peril them

on the Potomac, in Kentucky, in Missouri, in South Carolina, at the mouth of the Mississippi—where my own friends and neighbors, and townsmen are to-night—shall we risk their lives rather than strike at the institution of slavery, when we know that the rebellion rests upon slavery, and will go down when slavery ceases to support it? (Applause.) Have you yet other men whom you wish to sacrifice upon this altar? Ellsworth, Lyon, Baker, and others of equal virtue and equal patriotism, with names unknown, have gone down upon bloody fields, sacrificed at the shrine of slavery; and will you offer up more, and yet more, of the best blood of the country—the young men, the hope of the nation, the strength of the future—in order that slavery may longer last?

I say, then, it is a necessity that this war be speedily closed. By blockade, it cannot be; by battle it may be, but we risk the result upon the uncertainty whether the great General of this continent be with them or with us. I come, then, to emancipation. Not first, although I shall not hesitate to say before I close that, as a matter of justice to the slave, there should be emancipation—but not first do I ask my countrymen to proclaim emancipation to the slaves in justice to them, but as a matter of necessity to ourselves; for unless it be by accident, we are not to come out of this contest as one nation, except by emancipation. And first, emancipation in South Carolina. (Loud cheers.) Not confiscation of the property of rebels, that is inadequate longer to meet the emergency; it might have done in March, or April, or May, or possibly in July, but in December, or January of the coming year, confiscation of the property of the rebels is inadequate to meet the exigency in which the country is placed. You must, if you do any thing, proclaim at the head of the armies of the Republic on the soil of South Carolina—FREEDOM, (prolonged and enthusiastic cheering,)—freedom to all the slaves in South Carolina, and then enforce the proclamation as far and fast as you have an opportunity, (renewed cheering;) and you will have opportunity more speedily than you will if you attempt to invade South Carolina without emancipation of the slaves. Unsettle the foundations of society in South Carolina—do you hear the rumbling? Not we—not we are responsible for what happens in South Carolina between the slaves and their masters. Our business is to save the Union (cheers); to re-establish the authority of the Union over the rebels in South Carolina; and if between the masters and their slaves collisions arise, the responsibility is upon those masters who, forgetting their allegiance to this Government, lent themselves to this foul conspiracy, and have thus involved themselves in ruin. (Applause.) As a warning, let South Carolina be the first of the States of the Republic in which emancipation to the enslaved is proclaimed (cheers); as a warning and a penalty for her perfidy in this

business, which began at the moment that her delegates penned their names to the Constitution when it was formed. Treachery was in their hearts then, and they have adhered to their disloyalty through evil report and through good report; but I trust the day is now near when by the reconstruction of South Carolina society, we shall there have a State which in process of time shall be loyal to the Constitution and the Union.

Next, Florida. Impotent in her treachery; with less than 150,000 inhabitants; with property, I suppose, not of equal value to that which might be found in a single ward in this city, purchased with the money of the people—she has undertaken to lend herself to this conspiracy. Emancipate the slaves that are there, and invite the refugees from slavery in the South, for the moment, to assemble there, if they desire, without compulsion, and take possession of the soil. (Cheers.) If that is not sufficient, let the penalty upon South Carolina be increased by dividing her soil among those whom she has heretofore held in bondage. (Renewed cheering.)

And next in this work of emancipation I name Texas; for, if we read the history of the last twenty-four months aright, these people have gone out of the Union because they see they cannot extend slavery in the Union. It was not because a few abolitionists in the North hated slavery; it was not because some of us went to Chicago in May, 1860, and nominated Abraham Lincoln for President, and then elected him; but it was because men of all parties and all persuasions, and all ideas, in the North, had come to the conclusion that slavery should not be extended. It was the doctrine of churches, the doctrine of homes and hearthstones, that slavery should not be extended, and hence the slave States went out of the Union. Which way do they expect to extend slavery? Southward, through and over Texas, into Mexico, and into Central America, thus eutting us off from the Pacific, separating us from our possessions west of the Rocky Mountains, and rendering another division of the Union, by the line of the Rocky Mountains, inevitable. Now, then, let us teach them, by emancipation in Texas, that in the Union or out of the Union, slavery is not to be extended. Emancipate the slaves in Texas; invite men from the army, invite from the North, invite from Ireland, invite from Germany, the friends of freedom, of every name and of every nation; bid them welcome in Texas, where we have 175,000,000 acres of unoccupied land—or shall have, when we confiscate it to the Government of the United States (applause)—and we shall have a barrier of freemen, a wall over which, or through which, or beneath which, it will be impossible for slavery to pass. (Cheers.)

I do not pursue the subject of emancipation further. These three States will be sufficient for warning and penalty, for refuge and for security against the extension of slavery; but I certainly would have it pretty distinctly un-

derstood, that by the next anniversary of the birth of the Father of his Country, we should emancipate the slaves in all the disloyal and rebellious States, if they do not previously return to their allegiance. (Applause.)

"What will you do," says one, "if you emancipate the slaves?" My friend, what will you do if you don't? (Laughter and cheers.) What are we doing now, when we have not emancipated the slaves? I want to tell you what Mr. Jefferson thought, more than sixty years ago, and I ask you if that which he feared is not in process of completion to-day? He says in a letter to St. George Tucker, dated August 28, 1797:

"Perhaps the first chapter of this history which has begun in St. Domingo, and the next succeeding ones, which will recount how all the whites were driven from all the other islands, may prepare our minds for a peaceable accommodation between justice, policy and necessity, and furnish an answer to the difficult question, whither shall the colored emigrants go? And the sooner we put some plan under way, the greater hope there is that it may be permitted to proceed peaceably to its ultimate object. But if something is not done, and soon done, we shall be the murderers of our own children."

Terribly prophetic words! Terrible in the possibility of their fulfilment!

What will you do with the negroes if you emancipate them? As between what we may or can do with them and the salvation of this country, we ought not to hesitate a moment. They are but four million; and though in their weakness they plead, here are five and twenty million of men who ask a country; all the coming generations of this continent rise now and demand sacrifices of us all, that we may secure and preserve a country for them. Mankind everywhere gaze with anxious eyes upon this contest, lest the last hope of liberty should go out in this our land; and if—I do not hesitate to say—if the salvation of the country demanded the sacrifice of four million on this continent, black or white, slave or free, North or South, it would be a sacrifice well made for so great a cause. But, my friends, it demands no such sacrifice. These four million of people are able to take care of themselves. (Applause.) Have you considered what it requires to take care of one's self? I do not mean, when I say that these four million are able to take care of themselves, that they can build cities, that they can set afloat a vast commerce: I do not say that they can immediately become proficient in the arts and sciences—I do not know that they ever can; but do you not see on the face of things, that the slaves of the South have to-day possession of those industries, are accustomed to the exercise of those physical and mental faculties on which society first and primarily depends? They are able to take care of themselves.

I should like, my friends, to spend a moment in stating some facts in regard to the British

West Indies, because I believe that the public mind has been, to a great extent, deceived by the representations that have been made, through the agency of slavery, in reference to the results of emancipation in those islands. If you will pardon me a moment, I will read certain statistics, which, in their results, show what has been accomplished by the black population of the West Indies, emancipated by the British Government seven and twenty years ago. I venture to anticipate what I have to say, by expressing my belief that, with the exception of Greece, where thirty years since there was hardly a house with a roof on it, there are no people on the face of the earth who have made more progress than the emancipated slaves in some of the British West Indies. What have they done? Take, for example, Barbadoes. They have opened schools, and with a population of 140,000 have some 7,000 children in the schools; and they have over 3,000 landholders. In Antigua, with a population of 35,000, they have more than 10,000 children in the day and Sunday schools; and 5,000 landholders among those who were slaves seven and twenty years ago. In Tobago there are 2,500 landowners, with a population of 15,000. In St. Lucia, with 25,000 inhabitants, there are more than 2,000 landowners. And even in Jamaica, which is the exception to the West India Islands, in the matter of prosperity since emancipation, in a population of some 400,000, they have 50,000 freeholders.

So, then, if you test that people who came from slavery and barbarism seven and twenty years ago, by the two tests of primary civilization, cultivation of the soil and education of the children, they have made great progress. But it is well worth while to remember that Barbadoes is one of the most populous portions of the globe. Of the 106,000 acres of land, 100,000 are under cultivation, and the price of the cultivated land is from four to five hundred dollars an acre.

If we show that in one single instance emancipated slaves have been able to take care of themselves and make progress, though there may be twenty instances of failure, still, the one instance of success demonstrates their capacity, and their failures are to be attributed to misfortune and the influence of circumstances.

In the next place, (although I do not intend to go into the financial aspect of the question,) I will read the results of the cultivation of sugar, which is the great article of export in those islands; and I know very well that the commercial community is interested in whatever relates to exports and imports. The dependencies of Guiana, Trinidad, Barbadoes and Antigua, previous to emancipation, produced 187,000,000 pounds of sugar, and in 1856-7, they produced annually 265,000,000—showing a gain of nearly 78,000,000 a year; and their imports went up from \$8,840,000 to \$14,600,000 a year. And the present Governor General of

Jamaica, Mr. Hincks, whom some of you may remember as the former Attorney-General of Canada, and who was here in 1851 at the railway celebration, as it was called, states from his own knowledge and observation, that on an estate in Barbadoes, ninety blacks perform the work formerly done by two hundred and thirty slaves; and that the produce of each laborer during slavery was 1,043 pounds of sugar, and the produce since emancipation of each laborer is 3,660 pounds annually. He also states that the cost per hogshead under slavery was £10 sterling while in 1858, it was produced at a cost of £4 sterling. So we see that whether we test the black population of the British West Indies, by the fact that they have established schools, by the fact that they have become landholders, or by the fact that they export of their main staple more than they did formerly, they still have demonstrated their capacity to take care of themselves. (Applause.)

But I say further, my friends, that it is not a matter for argument, but within the range of the commonest observation, that the time is approaching when the emancipation of the slaves in this country must take place. It is inevitable; and we have now, I think, only a choice of ways. Emancipation may take place by the efforts of the slaves themselves; it may take place by the Government of the United States; it may take place by the action of the slaveholders themselves, who led in this rebellion. But for us, it is first a matter of justice. I said I would not omit that consideration, and I will not, as a matter of justice to the slaves themselves, who certainly have been subjected to a sufficient apprenticeship under slavery, through two centuries, to prepare them for freedom—which these gentlemen have told you is the legitimate and natural result of apprenticeship to slavery—if they are ever to be prepared. I say, then, justice to the slaves demands emancipation. I will not make for myself, though others may for themselves, the nice distinction which you remember Mr. Croswell made when he wrote a letter endorsing and explaining the speech of Colonel Cochrane. He says, "The difference between the Abolitionists and the Union defenders is this—the Abolitionists are in favor of emancipation because it would be a benefit to the slaves. We are in favor of emancipation because it would be an injury to or diminish the power of the rebel masters." I do not care about this nice distinction. It reminds me of what Macaulay says of the Puritans. "The Puritans," says Macaulay, "hated bear-baiting, not because it gave pain to the bear, but because it gave pleasure to the spectators." (Laughter.) Whatever your opinion may be, if you are in favor of emancipation, I do not greatly care whether you favor it as a matter of justice to the slaves, or as a punishment to the masters. And we must agree, my friends, to the Declaration of Independence. The fundamental difference on which the North and South have divided for thirty years

is on that part of the Declaration of Independence which says, "All men are created equal." They have denied it; we have undertaken to maintain it. We ought to consider, (if you will allow me a moment by way of explanation,) that the Declaration of Independence was prepared as a political document. It did not relate to those differences among men which we see, which we recognize, which are natural, which are divine, which are not to be complained of. But Jefferson meant, when he penned that provision, that no person was by birth under any political subserviency to any other person. (Cheers.) That is what he meant. Not that we are of equal height or weight, equal moral influence or intellectual capacities; but that we were equal in this—that no one is born under any subserviency, politically, to his fellow man. Let us maintain the doctrine now. These slaves are men; Jefferson did not hesitate to call them "brethren." In a letter to M. de Munier, explaining the reason why neither Mr. Wythe nor himself had proposed to insert a clause for emancipation into the slave code of Virginia, he says:

"There were not wanting in that assembly men of virtue enough to propose, and talents to vindicate this clause. But they saw that the moment of doing it with success was not yet arrived, and that an unsuccessful effort, as too often happens, would only rivet still closer the chains of bondage, and retard the moment of delivery to this oppressed description of man. But we must await with patience the workings of an overruling Providence, and hope that that is preparing the deliverance of these, our suffering *brethren*. When the measure of their tears shall be full, when their groans shall have involved heaven itself in darkness, doubtless a God of justice will awaken to their distress, and by diffusing light and liberality among their oppressors, or, at length, by his exterminating thunder, manifest his attention to the things of this world, and that they are not left to the guidance of a blind fatality."

These slaves are men. The declaration concerning the equality of all men applies to them as to us; and now that in the progress of events the South have relieved us from responsibility in regard to eleven disloyal States, let us stand forth as a nation in our original strength and purity, maintaining the ideas to which our fathers gave utterance, but which, under the circumstances, they were not able always and everywhere to enforce. Let us declare in the presence of these slaveholders and rebels, in the presence of Europe, that we may have ground on which to stand and defend ourselves in this contest, that we proclaim the equality of all men. (Loud applause.)

As to the expediency, still further: Have you ever considered—(I see one gentleman, Mr. Atkinson, upon the platform, who has considered the subject of the cotton culture of the South and written a book upon it which is worthy of consideration by every-body)—but

have you all considered that these men of the South have taken possession, by circumstances and by skill, of the best territory, in soil and climate, upon this continent? This territory has been given up to slavery, and the men of Massachusetts, of the North, have not the power to go there in the presence of slavery and develop the natural resources of that extensive country. We have taken possession of the fertile lands this side the Rocky Mountains, and it is a necessity of our existence that freedom should go South. Therefore it is a necessity that slavery should disappear. Have you merchants, considered—have you manufacturers, considered, that the 700,000 negroes of the South, engaged in the cultivation of cotton, have a monopoly of the best cotton lands on the surface of the globe, and that their interest is to produce just as little as possible? What is your interest? Your interest is to have these lands developed so that they shall produce as much as possible. From 1845 to 1857, the supply of cotton in all the markets of the world diminished 900,000 bales, and the price went up from the producing price of five or six cents to ten, twelve, fourteen and sixteen cents a pound in the markets of the world—the manufacturers working all the time upon short products of the raw material, and paying famine prices. We are told by statisticians that the whole population of the globe is ten or eleven hundred millions. The total product of manufactured cotton goods has never exceeded seventy cents for each inhabitant of the globe. Produce cotton by free labor on the productive land of the South, develop it in Egypt, in India, in South America, wherever on the broad zone of 70 degrees cotton can be raised at five or six cents a pound and pay to the producer a good profit, and your manufacturers in New England, in the free States, in England, in France, will double and treble the amount of goods now produced.

Is it not a matter of some consequence to manufacturers, to the people, to the laborers everywhere, that we should take these fertile and productive cotton lands out of the control of these 700,000 slaves, make them free men, stimulate them by wages, invade those cotton lands, which can be worked by white labor, as one-eighth of the cotton lands of the country are now worked by white labor, and thus increase the product of cotton, 25, 50, 75, and, in a few years, 100 per cent., and stimulate the industry and increase the comforts and conveniences of all mankind.

If you look at this matter merely in a commercial point of view, will you allow slavery to retain the best cotton lands, and allow these lands to remain in possession of slaves?

I heard a suggestion just now, from the other part of the hall to the effect—if I understand it correctly—that if we emancipate the slaves a great many of them will come this way. Have you ever thought, my friend, that if you do not emancipate the negroes, that in consequence of the disturbed condition of affairs,

they will escape and invade the free States, and that you will have the negroes here whether you will or not. But if you emancipate the slaves in the South—assuming what Mr. Yancey said in Faneuil Hall last year—the negroes of the North will go South, for he said they enjoyed nothing so much as basking in the sun, with the temperature at 110 degrees. If the slaves be emancipated, what with their own natural ability and such aids and appliances as the Government and 20,000,000 of people in the North can furnish, they will get employment, pay, and subsistence. (Applause.)

Another consideration that ought to be taken into account by the commercial men of the North is, that if we emancipate the slaves, and dedicate this country to freedom, the process of bankruptcy and repudiation, as a general thing, will come to an end, instead of your being called every year, in ordinary times to contribute one, two, or three millions to the support of the South. The time has come, after sixty, seventy or eighty years of experience, when it is a right which we may demand that the people who occupy the best portion of the North American continent shall earn their own living and pay their own debts. (Loud applause.)

The other consideration, as a matter of necessity, to which I invite your attention, is this: Having been involved as we are by slavery and a conspiracy and rebellion based on slavery, we have a right to take security for the future; that there shall be no other conspiracy, that there shall be no other rebellion, that there shall be no other war reserved for future generations, growing out of this institution. Slavery, in its essential characteristics, is a despotism, and you will search long and be disappointed often when you seek for a slaveholder who is in heart desirous to support free, democratic, republican institutions. (Loud applause.) If you would take security for the future peace of the republic, it must be by dedicating this territory to freedom. Nothing else will give the country security for the future, or freedom to the States that are now engaged in the rebellion.

Emancipation is inevitable, first, possibly, by the act of the slaves themselves. I ask whether you—I do not ask whether the people of Charleston, South Carolina, with their city in flames, with the power of the slave population in some way or other felt, in this their great calamity, I do not ask whether they prefer the emancipation that took place in Jamaica, or that which took place in St. Domingo, but I ask you if now, after the sacrifices you have made in the service of slavery, the expenses in which you are involved, the just and righteous hatred you have for these leaders in the rebellion—I ask you if, after all this experience, you ought not to choose an emancipation such as took place in Jamaica, rather than reserve this question of slavery until emancipation takes place as it did in St. Domingo. You cannot hesitate, whether you look to your own interest, to your

own comfort, or whether you regard the interest, the comfort, the welfare, and the safety of the slaveholders themselves. And bear one thing in mind—that in Jamaica thirty insurrections occurred in the century preceding emancipation, the last of which involved the destruction of \$8,000,000 of property, and was only put down at an expense of \$600,000. Since emancipation, there has not been an insurrection of the blacks in that island; and it is a contradiction of all human experience to assume that when these people are emancipated they will turn round and cut the throats of their masters; and if the United States shall lead in the emancipation, even at the head of the army, the emancipated population, can be so controlled that they shall not commit those excesses which have characterized conflicts between the oppressor and the oppressed in other countries and other ages.

But I made a suggestion, which I propose to consider for a moment, and that is that if we do not emancipate the slaves, or if they do not speedily take the matter into their own hands, the probability is that they are to be emancipated by the rebels themselves. You think, possibly, that it is absurd to suggest that when they have involved the country in war, when they have staked every thing on the institution of slavery, they should, under any circumstances, be tempted or induced to destroy it. But have you considered that there are ten thousand men in the South, in civil positions and in the army, who if this rebellion be put down and the government of the Union re-established over the revolted States, have only the choice between hanging and exile. Do you believe, when you remember the sacrifices they have already made, when you consider that on the coast of Carolina they apply the torch to their own property, that in the extreme exigency to which they may be reduced, if we shall be successful in the prosecution of the war, they will not emancipate their slaves and claim the recognition of France and England, and the alliance of foreign governments, which alliance we see will be but too readily accorded.

My friends, I have not been startled by the intelligence from England to-day, because I had seen that we were drifting steadily and certainly to a foreign war; and nothing, I believe, can avert that calamity within a few months, except emancipation of the negroes in the South, so that we can say to the people of England—to the people of France—if you make war against us, you make war in the interest of slavery. (Loud cheers.) I do believe, although I was educated in that school which had but little faith in English politics, or in the political principles of Englishmen, that if we write emancipation on our banner there is yet remaining in the heart of the English nation virtue enough to say to their ruling classes, whatever their desire may be, and to the manufacturers, whatever their exigencies may be, You shall not interfere to re-establish slavery where it has been struck down. (Ap-

plause.) I believe also that the French nation, which in 1778 was in alliance with us, which regarded the extremity of Greece, which fought for an idea in Italy and restored the unity of that ancient seat of power and of majesty in the affairs of the world, I do believe that the millions of France would say to the Emperor, if he were otherwise disposed: This is a war in which we can take no part. By emancipation we shall be left to ourselves; but if we do not speedily strike a blow somewhere—in South Carolina, or Florida, or Texas—as indicative of our purpose, I see not any way to avert a foreign war, adding untold calamities to the difficulties and horrors in which we are at this moment involved.

Do you think that England is without inducements. History teaches something. She has her traditions of the Revolution, and of the war of 1812; her governing classes are in sympathy with the governing classes of the South; her manufacturers desire the raw material; her merchants now urge the government on, and guide it, too, in a policy which looks either to the restoration of the Union, or to separation; and whatever may be the result, with equal sagacity. They see very plainly that here is a breach between the North and South that cannot be repaired in one generation; they know that when the war closes, they will have the sympathy of the South, if they show sympathy to the South now. They expect a monopoly of the trade of the South, and if the slaveholders bear sway when peace comes, whether it come by union or disunion, that monopoly will be secured. It is only by a reconstruction, to some extent, of Southern society, that the people of the North can participate hereafter in the trade of the South.

Then there is a feeling, not only in England, but throughout Europe, that we are advancing too rapidly. Conscious as we have been, boasting as we have been, it is possible that after all we have not estimated the prosperity and greatness of the republic as it has been estimated abroad. Extending from the Great Lakes to the Gulf of Mexico and the Rio Grande—from the Atlantic to the Pacific—covering the continent, threatening Mexico and Central America with the process of annexation,—they could not have looked otherwise than with anxiety and apprehension, upon a nation of freemen which promised in the course of the present century, to contain a population of 100,000,000.

Therefore, I say, in reference to the future, that we are in the greatest peril, unless we place the nation, and that speedily, in a position where we can defend ourselves as the supporters of freedom, and appeal to the yeomanry of England, the peasantry of France, and ask them to keep the peace, while we restore to its fair proportions a government such as the world has never before seen, and then we may start our country in a career of prosperity which shall know no limits in this generation, if we escape from the perils in which we are involved by slavery. (Loud applause.)

Our interest and our duty require us to avert the calamity of foreign war, by any sacrifice, save that of justice and honor.

One word, my friends, and I leave this subject. In the exigency in which we are placed, we must support the Government itself. We may maintain our opinions, believing that in due time those opinions will possess influence; but the Government, that must—for it is the only means by which the rebellion is to be put down—from day to day, with the highest wisdom, and on principles of established justice, execute all the principles and provisions of the Constitution.

This contest is between Slavery on the one side and the Government on the other. Both cannot stand. Either Slavery will go down and the Government remain, or the Government will be destroyed, and Slavery triumph over us all. For slavery it is that we have made our sacrifices; for slavery it is that we are involved in these troubles; for slavery it is that we incur these expenditures; for slavery it is that manufactures are paralyzed; for slavery it is that commerce is interrupted; for slavery it is that our foreign relations are disturbed; for slavery it is that foreign war threatens our borders; for slavery it is that free institutions are perilled throughout the world, and among all the coming generations of men. Are there still further sacrifices demanded for the institution of slavery? Remember the dead that have fallen in defence of the country; remember the living who are perilled on the battle-field and in the camp; remember your friends who have gone out to fight the battle of the Republic, and say whether you can lie upon your pillows, and feel that you have done your duty to them, to your country and to your God, unless you exert such influences as you can command to bring to a speedy termination the cause of all our trials. (Loud and prolonged applause.)

The foregoing Address by Governor Boutwell and also Mr. Sumner's Oration "The Rebellion:—its Origin and Main-Spring," for sale by the Emancipation League, for one dollar a hundred. Orders with the money, by mail or otherwise, addressed to JAMES M. STONE, No. 22 Bromfield Street, will be attended to.

HAVE THE

RECONSTRUCTION ACTS

BEEN FULLY

EXECUTED IN GEORGIA.

Refers to Brown Bullcock

Chronicle Print, Washington, D. C.

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HAVE THE RECONSTRUCTION ACTS BEEN FULLY
EXECUTED IN GEORGIA?

THE SPEECH OF GOV. BULLOCK, OF GEORGIA,
"1
DELIVERED AT ALBION, N. Y., OCTOBER 17, 1868, TO WHICH REFERENCE
IS MADE IN THE REPORT OF MAJ. GEN. GEORGE G. MEADE,
UNDER DATE OCTOBER 31, 1868.

FELLOW-CITIZENS—It is accidentally my good fortune to be with you again at a public gathering, assembled according to previous arrangement, for the purpose of forwarding the just principles of the great Republican party. On the last occasion you were congratulated upon the wise selection of standard-bearers that had been made by the Chicago Convention, and at that time it was well understood that the real intent of the opposition was the reassertion of the mistaken principles which they had been compelled to abandon by the results of war. Their action at New York left no room for a doubt in the minds of those who had ever sincerely rejoiced at the news of a Union victory in battle, that a Democratic success at the polls would be a vindication of the rebellion and a condemnation of the Union. While there are thousands of good, honest, loyal, and true men, Democrats, here at the North, who do not realize the full effect of a vote, now east with, and for, their old party leaders, there is at the South no such misunderstanding. There the party-lines are sharply drawn *for and against* the Government, and the ranks are made up of men from all the old parties. Whigs, Democrats, Know-Nothings, "Original Union men" and "Original Secessionists" unite now in the Republican or Democratic party, as they may be for or against the restoration of the Union under the laws of the land; one party being in favor of peace upon the terms granted by the conqueror—the other for war, unless peace can be had on the terms demanded by the conquered. And you will therefore readily understand that a Democratic success at the polls will very properly be construed by the malcontents at the South and the Copperheads at the North as an endorsement by the American people that the "lost cause" *has been regained*, and that the war *was a failure*.

It is fortunate that time has elapsed, before the election, in which the violence proclaimed in the New York platform has had opportunity to produce its legitimate fruits, in deeds of death, which the wooing words of the discomfitted Democracy cannot now overcome—events that have startled the loyal heart to a full realization of the purposes of the new conspirators, and overwhelmed them in present and prospective defeat. Having before explained that “Democrat,” at the South, signifies disunion, and now stating to you that the Legislature of Georgia is *Democratic*, you will very naturally conclude that the laws passed by Congress for the restoration of the Southern States must have been defective, or this anomalous fact would not have occurred. A few words of explanation will show you that the fault is with the Executive, and not with the law-makers—that if the acts of Congress had been correctly construed and properly executed, the results would have fully sustained the wisdom of those who framed the law. As the Reconstruction Acts of Congress are as objectionable to the Democracy as was the draft, or any other means adopted by Congress for overcoming the rebellion, and are therefore taking prominent place in public discussion, the results derived from those acts in Georgia become more noticeable, and worthy of consideration outside of that State, and I will therefore refer to them. First, then, the intent and purpose of Congress in passing the Reconstruction Acts was to establish civil State Governments—Republican in form and in fact—approved by a majority of the persons resident therein, who were not disfranchised for participation in the rebellion. This was accomplished in the usual way—by a vote, and, subsequently, the election of delegates to frame a constitution; then an election for the ratification or rejection of the constitution so framed. In Georgia an election was held for State officers and a General Assembly at the same time of voting for or against the constitution. As the Democrats voted *against* the constitution, and hoped to defeat it, *and thereby refuse the second offer of terms by the conqueror*, candidates were placed in nomination by them, simply for the purpose of aiding, by their personal popularity and their war record, in bringing out the vote to defeat the constitution, and not with regard to their eligibility under the law, or with any expectation of their taking office; for, the constitution being defeated at the polls, we would remain under military government. The result, however, was the ratification of the constitution by a majority of the whole vote, while in many counties that gave majorities against the constitution ineligible Democrats secured the highest number of votes, and were, therefore, elected to county offices, and to the General Assembly. By the terms of the Reconstruction Acts, all civil government was “provisional” until the newly-established State constitution was accepted by Congress, and, by the same act, as

amended in July, 1867, all persons elected or appointed to office in any of the Southern States were required to take the oath provided by law for officers of the United States, commonly known as the test oath. The closing section of the Reconstruction Act requires that the law shall be construed *liberally*, to the end that all the *intents* thereof may be *freely* and *perfectly* carried out. The case, as presented in Georgia, was that of a number of persons elected to office in a government which was "provisional," until approved by Congress; and, according to the law, such persons should have taken the oath prescribed for officers of the United States. The law in this respect was not executed, and the men who had been the most popular in an effort to defeat the new government were allowed to take seats as legislators in its formation, and were thus given an opportunity to succeed by legislation in what they had failed to accomplish at the polls. This, too, in violation not only of the "letter" but of the "intents" and "purposes" of the law.

The act by which the State was to be admitted to representation in Congress after she had adopted the XIVth Amendment to the Constitution of the United States required that persons to hold office in the State should be eligible under the terms of that amendment. This law was not executed. The body of legislators heretofore referred to were permitted to *decide for themselves* that they were all eligible, and their decision was accepted by the commanding officer. Under our State constitution, representation is based upon counties and districts, and not upon population; hence, while the popular vote was in favor of the Reconstruction Acts, the seating of ineligible members gives an opposite political complexion to the Legislature. Having thus explained that the condition of Georgia is not the fault of the legislation of Congress, but arises from failure to execute either the letter, the intent, or the purposes of the acts passed for her restoration, I may be excused for suggesting the course which seems to me proper to be pursued to insure the establishment of a State government as provided for in our constitution, and as required by Congress. Congress should take steps to ascertain whether the Reconstruction Acts have been properly executed. Finding that the laws have not been executed, the proper authority should be advised of the true intent and meaning of the acts, and directed to properly execute them. This would result in preventing persons who could not take the oath required of officers of the United States from participating in the provisional legislation, and thus effectually prohibit men whose policy of opposition to the Federal Government had been defeated on the battle-field and at the ballot-boxes from carrying through a third and nearly successful attempt—so far as Georgia is concerned—in her legislative halls. The law being complied with in this particular, our legislation

would be in safe hands, and no more would be heard of forcible interference with persons "who had the impudence to be Republicans in Georgia," or of attempts to violate the civil and political rights of those who have now only the General Government to look to for protection. With the facts, as they will appear when Congress shall have investigated the situation in Georgia, fully sustained by the revolutionary action of the Legislature, we feel confident that Congress will not only maintain the laws which have been solemnly adopted, but cause them to be faithfully executed, notwithstanding the objections of the President, constitutionally communicated, and unconstitutionally enforced, and will fully justify the abiding faith which the Southern Republicans reposed in that patriotic body. From the magnificent display which has been witnessed here to-day, the tone and temper of the people whom I have met in passing through Indiana and Ohio, and the reports from Pennsylvania, I feel fully assured that Congress will be sustained by the people in any policy that insures the integrity of the Union, and one of the most essential points of such a policy is the placing the Southern governments in the hands of the friends of the nation and the supporters of its laws. Am I correct? Elect your State ticket, and place Grant in the White House, and we will be safe. Georgia will be as free, as peaceful, and, in due proportion, as prosperous, as New York.

EXTRACT FROM THE

REPORT OF MAJOR GENERAL GEORGE G. MEADE,

DATED OCTOBER 31, 1865.

"There is one point in regard to the admission of the State of Georgia to which I feel called upon to make special allusion. When the Legislature was convened by the Provisional Governor and Governor elect, the question arose whether, as military commander, I was called to inquire into the eligibility of the members, either under the United States laws or the Constitution of Georgia. The Convention of Georgia has in its ordinance calling an election directed that all returns should be sent to the Military Commander of the District, who was requested to issue the necessary certificates of election. In carrying out this request of the Convention, I deemed my duty simply required that I should give the member having the greatest number of votes the ordinary certificate of election, and that it would be for each House to decide on the eligibility of those members whose seats were on any grounds contested; while I admitted, as District Commander executing the law, I was to see that no one ineligible to office under the 14th Article of the constitutional Amendment should be allowed to take office. I did not see that in the case of a parliamentary body that I was called on to decide on the qualifications of the members. In this view I was sustained by a telegram sent to me for my information by the War Department, which had been sent to the Governor of

Louisiana and the Military Commander of the Fifth District, and which I quote :

“ ‘ WASHINGTON, June 30, 1868.

“ ‘ To GOVERNOR WARMOUTH, *New Orleans :*

“ ‘ We think that persons disqualified under the Fourteenth article of the Amendment to the Constitution to the United States are not eligible to your Legislature. This is to be determined by the respective Houses, and no oath can be imposed except the oath prescribed by the State Constitution.

“ ‘ JAMES WILSON,

“ ‘ *Chairman of the Judiciary Committee.*

“ ‘ GEORGE F. BOUTWELL, }

“ ‘ J. F. FARNWORTH, }

“ ‘ H. E. PAINE, }

Reconstruction Committee.’

“ ‘ It will be seen by the above telegram that the distinguished gentlemen, whose names were attached, were of the opinion that no one ineligible to office under the fourteenth article could take a seat in the Legislature ; second, that the respective Houses were to judge of the question ; third, that no oath testing this eligibility could or should be prescribed in advance of the meeting of the Legislature. These views, being in accordance with my own, I acted on them, and was present at the organization of the two Houses of the Georgia Legislature, to the members declared in my order as having the highest number of votes there being administered only the oath prescribed by the State constitution. After these Houses were organized, the Provisional Governor informing me officially of their organization, but that as far as he could learn no steps had been taken to test the question of the eligibility of members under the fourteenth article, I replied to the Governor, that until the State was admitted to representation, the Legislature and all the officers were only provisional, and subject to the paramount authority of the District Commander, and that in the exercise of this power I should consider all acts of the Legislature null and void, until satisfactory evidence was presented to me that each House had purged itself of ineligible members, under the fourteenth article, provided there were any such in either House, and I desired the Provisional Governor to communicate these views to each House. On the receipt of this letter, each House at once ordered an investigation, and inquired into the qualifications of each member, and duly reported, this fact through the Provisional Governor, stating at the same time that neither House had found any member ineligible. The Provisional Governor, on transmitting these communications, expressed the opinion, founded on evidence presented to him, that several members in both Houses were ineligible, and called on me to exercise my power and require said members to vacate their seats. On reflecting upon this subject, I could not see how I was to take the individual judgment of the Provisional Governor in the face of a solemn act of a parliamentary body, especially as, from the testimony presented, I did not in several cases agree with the judgment of the Provisional Governor. The question was simply whether, in the construction of a law and in considering the facts of individual cases, I should make myself the judge, or take the opinion of the Provisional Governor in the face of the official information that a parliamentary body had gravely and formally, through a committee, examined, reported, and acted on these cases. My judgment was decidedly that I had fulfilled my duty in compelling the Houses to take the action they had, and that having thus acted I had neither authority, nor was it politic or expedient, to overrule

their action and set up my individual judgment in opposition. By an inspection of the telegrams sent July 18, and the reply of the General-in-Chief, July 23, it will be seen that my views and action were approved. I allude thus *in extenso* to this subject because his Excellency, the Governor of Georgia, in a public speech recently delivered at Albion, N. Y., is pleased to attribute the failure of Georgia to be properly reconstructed to my action in failing to purge the Legislature of his political opponents, he having advised me, when he urged such action, that his friends had been relieved of their disability by Congress."

The following is the

OFFICIAL OPINION OF MAJOR GENERAL GEO. G. MEADE,

Given April 15, 1868, in which it is announced that the Provisional Legislature should be organized under the Reconstruction Acts, and that at the time of such organization and until the State should be admitted to representation the members of that body must be eligible to office under those acts:

[From the *Atlanta New Era*, April 29, 1867.]

ELIGIBILITY FOR OFFICE.

"As the question of eligibility under the new Provisional Government is now one of great interest, we have been at some pains to place before our readers an official opinion upon this point.

"A person who had never held an office before the war, but who voluntarily aided and abetted the rebellion by holding a civil office at one time during the war, sought the opinion of the Commanding General as to whether he would *now* be eligible if elected.

"We give below the official opinion, by which it will be seen that the test oath will be required.

"Congress will, however, no doubt pass an enabling act, relieving persons who, in good faith, desire a restoration of the Union, (and who have proved their faith by their works,) from the operation of the 9th section, and of other disabilities, which would otherwise prevent them from aiding in restoration.

"HEADQ'R'S THIRD MILITARY DISTRICT,

"DEPT. GEORGIA, ALABAMA, AND FLORIDA,

ATLANTA, GA., April 15, 1868.

"The sixth section of the first Reconstruction Act of Congress declares 'That until the people of said rebel States shall be, by law, admitted to representation in the Congress of the United States, any civil government which may exist therein, shall be deemed provisional only,' &c.

"Under the provisions of the fifth section of the same act, 'the people of said State cannot be admitted to representation in Congress until they shall have ratified the constitution, submitted to them under the Reconstruction Acts, and Congress shall have approved the same; and until said State shall have adopted the amendment to the Constitution of the United States, proposed by Congress, known as 'Article 14,' and said Article shall have become a part of the Constitution of the United States.' These and other provisions

of the Reconstruction Acts clearly show that whatever government may exist in Georgia, before the fulfillment of the above conditions, must 'be deemed provisional only.' The ninth section of the Supplementary Reconstruction Act, passed July 15th, 1867, 'requires all officers elected or appointed under the provisional government of a State to take and subscribe the oath of office prescribed by law for officers of the United States.' This makes a condition of eligibility to office under a provisional government very materially different from either eligibility to registration as a voter, or eligibility to office under the provisions of the proposed Constitutional amendment.

"Before entering upon his duties, a provisional officer is required, among other things, to swear that he has neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States.

"Mr. ——— held office under the authority of the State of Georgia while that State was in hostility to the United States. He is consequently ineligible to office under the provisional government. It is not deemed necessary here to discuss the effect this view of the law may have as to other officers. But legislation has to be taken while the State is yet under provisional government; and the members of the Legislature must be qualified to hold office under that provisional government.

"[OFFICIAL.]

R. C. DRUM, A. A. G."

Sections 9 and 11 of the Supplemental Reconstruction Acts of Congress, passed July 19, 1867:

"SEC. 9. *And be it further enacted*, That all members of said boards of registration, and all persons hereafter elected and appointed to office in said military districts, under any so-called State or municipal authority, or by detail or appointment of the district commanders, shall be required to take and to subscribe the oath of office prescribed by law for officers of the United States."

* * * * *

"SEC. 11. *And be it further enacted*, That all the provisions of this act, and of the acts to which this is supplementary, shall be construed liberally, to the end that all the intents thereof may be fully and perfectly carried out."

NOTES.—[It is very apparent that when Messrs. Wilson, Boutwell, Farnsworth, and Payne gave their opinion as set forth in the dispatch to Gov. Warmouth, they were under the impression that all the conditions imposed by law precedent to the admission of the State had been enforced in organizing the Provisional Legislature; and this being true, such legislative body would be the proper judge of the eligibility of members under the Constitutions of the State and United States, after the State had passed beyond the control of the Reconstruction Acts. Until this period in political history had arrived, the State constitutions were not, and could not be, of force.]

The "political opponents" of Governor Bullock, referred to by General Meade, are doubtless the same parties who, as *military* "opponents," General Meade so successfully "purged" at Gettysburg, and it is to be regretted that they were permitted to obtain, under a misapprehension of law, what they failed to accomplish by flagrant rebellion. The political "friends" of the Governor who had been "relieved" by Congress were men who had proved by their works that they would support the laws, and were therefore entitled to the clemency of Congress.]

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